

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3214

IN THE MATTER OF:

Served August 9, 1988

ALEXANDRIA TRANSIT COMPANY,)
Suspension and Investigation of)
Revocation of Certificate No. 119)

Case No. MP-87-24

By Order No. 3105, served December 17, 1987, this investigation was instituted to determine whether Certificate No. 119 of Alexandria Transit Company (ATC) should be revoked for failure to maintain on file with the Commission satisfactory evidence of insurance as required by Commission Regulation No. 62.

ATC was made a party respondent to the proceeding and was directed, inter alia, to comply with the Commission's insurance requirements or show good cause why its Certificate No. 119 should not be revoked. Further, ATC's Certificate No. 119 was suspended effective December 17, 1987.

ATC was provided an opportunity for hearing pursuant to the Compact, Title II, Article XII, Section 4(g), and was directed to file within 30 days of Order No. 3105 a motion for oral hearing if it desired one. ATC did not seek oral hearing.

ATC had failed to comply with the Commission's insurance requirements, specifically Commission Regulation No. 62-09 which requires that the Commission receive 30 days written notice of cancellation or withdrawal of coverage, such 30 days to commence from the date such notice is actually received at the office of the Commission. There is also an issue on this record as to whether membership in the Virginia Transit Liability Pool (VTLP) would satisfy this Commission's statute and regulations concerning security for the protection of the public.

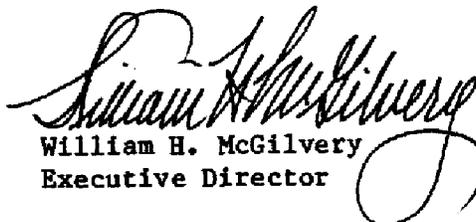
On July 18, 1988, ATC filed a VTLP certificate bearing an acceptable cancellation clause, leaving only the issue of the acceptability of the VTLP certificate.

We take official notice of the fact that the Virginia State Corporation Commission (SCC), in whose jurisdiction VTLP lies, has approved the eligibility of such liability pools, generally, by its Insurance Regulation No. 30, effective September 1, 1987. Moreover, SCC's Bureau of Insurance has specifically approved VTLP, and SCC's Bureau of Motor Carriers now accepts VTLP certificates.

We have reviewed the record in this case, including submissions by ATC and the administrator of VTLP concerning the specifics of the VTLP program. The VTLP certificate will be accepted, the suspension of ATC's operating authority will be lifted, and this investigation will be terminated.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director